

## Message Text

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ACTION EA-09

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O 181001Z FEB 76

FM AMEMBASSY MANILA

TO SECSTATE WASHDC IMMEDIATE 2225

C O N F I D E N T I A L MANILA 2369

E O 11652: GDS

TAGS: CASC, RP (ROCAMORA, JOEL)

SUBJ: CONGRESSIONAL INTEREST CASE: W/W JOEL ROCAMORA

REF: STATE 036914

SUMMARY: SOLICITOR GENERAL HAS BEEN APPRAISED OF ROCAMORA CASE AND HE HAS SUGGESTED THAT APPLICATION TO DEPART PHILIPPINES FOR U.S. WOULD NOT MEET INSURMOUNTABLE PROBLEMS. SINCE SOLICITOR GENERAL HAS NOT COMPLETED HIS CHECKING AROUND GOP ON CASE, WE RECOMMEND DEPARTMENT INFORM SENATOR PERCY OFFICE ONLY THAT TALKS WITH GOP INITIALLY PROMISING BUT STILL VERY TENTATIVE. SOLICITOR GENERAL IN ANY EVENT DID NOT AND WOULD NOT GIVE CATEGORICAL ASSURANCE ROCAMORA COULD LEAVE IF HE SO REQUESTED. THIS MAY BE MOST PROMISING RESPONSE WE CAN EXPECT FROM GOP ON MATTER INVOLVING FILIPINO NATIONAL WHO IS SUSPECTED SUBVERSIVE.  
END SUMMARY.

1. EMBASSY FILLED IN SOLICITOR GENERAL MENDOZA ON STATE OF PLAY IN ROCAMORA CASE FEB 13. HE HAD NOT HEARD OF CASE BUT TOOK NOTE. ON RECEIPT REFTEL, POL COUNSELOR TELEPHONED MENDOZA FEB 17 AND EXPLAINED THAT SINCE NOTHING HAD MOVED IN WASHINGTON WE WISHED TO REITERATE TO GOP IMPORTANCE WE AND SENATOR PERCY (WE MENTIONED HIS PREVIOUS INTERCESSIONARY ROLE WITH ROCAMORA) ATTACHED TO CASE.

2. MENDOZA CALLED BACK IN AFTERNOON AND SAID PERSONS HE  
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HAD CHECKED WITH IN GOP ADVISED HIM (A) THAT ROCAMORA WAS

NOT ON LIST TO BE ARRESTED; (B) IF HE WISHED TO LEAVE, THERE WOULD NOT BE TOO MUCH DIFFICULTY; (C) IF HE WAS ON "TEMPORARY RELEASE" FROM HIS PREVIOUS DETENTION, HE WAS ILL ADVISED TO BE IN HIDING; (D) IF ROCAMORA NOT AVAILABLE, IT WOULD BE ACCEPTABLE FOR WIFE TO WRITE DFA UNDERSECRETARY COLLANTES TO ASK FOR ROCAMORA RELEASE. DFA WOULD REFER TO NISA. MENDOZA CONCLUDED THERE WOULD BE NO INSURMOUNTABLE PROBLEMS ON BASIS OF DISCUSSIONS HE HAD HAD SO FAR, ALTHOUGH HE HAD NOT TALKED TO EVERYONE. HE ALSO MADE CLEAR HE COULD NOT AND WAS NOT AUTHORIZED TO GIVE ANY CATEGORIC ASSURANCES ABOUT HOW APPEAL WOULD BE HANDLED ONCE IT WAS MADE.

3. POL COUNSELOR WELCOMED MENDOZA COMMENTS BUT NOTED THAT SINCE MENDOZA WAS HIMSELF NOT YET FULLY SURE OF LIKELY ATTITUDE OF ALL OFFICES CONCERNED INCLUDING NOTABLY NISA AND DFA THAT IT WOULD BE HELPFUL IF MENDOZA COULD CHECK THE REMAINING BASES BEFORE WE COMMITTED OURSELVES TO COURSE OF ACTION. MENDOZA AGREED TO CHECK AND ADVISE.

4. FEB 18 MENDOZA CALLED TO SAY HE HAD NOT YET GOTTEN THROUGH TO DFA BUT THAT ON THE BASIS OF CHECKING WITH NISA, THE AFP AND ONE OTHER UNNAMED AGENCY HE WAS REASONABLY CONFIDENT ROCAMORA WAS NOT ON A WANTED LIST. HE REITERATED THAT BEST WAY TO HANDLE CASE WOULD BE TO BRING IT TO TEST. POL COUNSELOR SAID HE WOULD ADVISE WASHINGTON OF MENDOZA REMARKS BUT, IN VIEW OF DESIRABILITY TO BE AS SURE AS REASONABLY POSSIBLE ABOUT EFFICACY OF PROCEDURE IN CASE WITH POLITICAL OVERTONES, HE WOULD RECOMMEND NO ACTION UNTIL MENDOZA COULD TOUCH BASE WITH DFA.

5. FEB 18 NANCY ROCAMORA CONTACTED EMBASSY IN HIGH DUDGEON TO SAY THAT INFORMANT--ALLEGEDLY NISA--HAD IMPLIED TO HER THAT HER MEDDLING HAD COMPLICATED MATTERS FOR HER, AND INDICATED SHE MIGHT BE WELL ADVISED TO JOIN HUSBAND IN THE HILLS. SHE LEFT EMBASSY TO REPORT TO HER FATHER AND RENEW REQUEST FOR HIS LOBBYING IN WASHINGTON.

6. COMMENT: WE THINK MENDOZA'S RECOMMENDED COURSE OF ACTION IS SENSIBLE. ALTHOUGH HE HAS MADE CLEAR HE CANNOT GUARANTEE ITS SUCCESS, WE WOULD REGARD HIS RESPONSE SO FAR  
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TO BE AS ENCOURAGING AS WE COULD EXPECT FROM SOVEREIGN GOVERNMENT DEALING WITH SUSPECTED FILIPINO SUBVERSIVE. WE ALSO THINK IT PRUDENT TO MOVE CAREFULLY ON THIS TO ENSURE TO EXTENT POSSIBLE THAT GOP FULLY UNDERSTANDS U.S. INTEREST IN CASE AND THAT WE HAVE BEST AVAILABLE INFORMATION ON STATUS OF JOEL ROCAMORA. WOULD ACCORDINGLY SUGGEST--UNTIL WE HEAR FROM MENDOZA AGAIN--THAT DEPARTMENT ADVISE PERCY OFFICE IN WASHINGTON THAT WE HAVE BEEN IN TOUCH WITH GOP ABOUT PRO-

CEDURE FOR BRINGING ROCAMORA OUT, THAT DISCUSSION SO FAR  
PROMISING BUT STILL VERY REPEAT VERY TENTATIVE AND THAT WE WILL  
KEEP THEM INFORMED.  
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